

Docket No.: 1056-0126PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shigeki HIBI et al.

Application No.: 10/524,662

Confirmation No.: Not Yet Assigned

Filed: February 11, 2005

Art Unit: N/A

For: 7-PHENYLPYRAZOLOPYRIDINE
COMPOUNDS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL
REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE
1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

- ☒ a. Copies of cited U.S. patents and patent application publications are not included.
Copies of foreign patent documents and non-patent literature are included.

☐ b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

☐ c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Appl. No(s) and U.S. Filing Date

@@@ filed @@@

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

☐ c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

☐ d. OTHER - The following additional information is provided for the Examiner's consideration.

IV. FEES (check one box)

☐ a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

☐ b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

☐ c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required.
(This section is not to be used with RCE's.)

☐ d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

☐ e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

☒ f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).

☐ g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

☐ . No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.

or

☐ See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

☐ a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

☐ b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

☐ d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

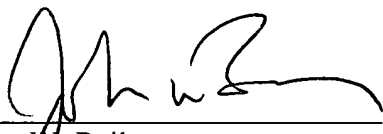
- ☐ The required fee is listed on the attached Fee Transmittal.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: OCT 5 2005

Respectfully submitted,

By 
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Registration No.: 32,881
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Attorney for Applicant

Attachment(s):

- ☒ PTO-SB08
☒ Documents
☐ Foreign Search Report
☐ Fee
☐ Other:

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/524,662
				Filing Date	February 11, 2005
				First Named Inventor	Shigeki HIBI
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	1056-0126PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-5,457,200	10-10-1995	Zimmermann et al.	
	AB*	US-4,925,849	05-15-1990	Shiokawa et al.	
	AC*	US-5,565,468-A	10-15-1996	Larsen et al.	
	AD*	US-5,691,347-A	11-25-1997	Corbier et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-00/59907-A2	10-12-2000			
	BB	WO-00/59908-A2	10-12-2000			
	BC	WO-02/06286-A2	01-24-2002			
	BD	WO-98/35967-A2	08-20-1998			
	BE	EP-0812831-A1	12-17-1997			
	BF	WO-99/01454-A1	01-14-1999			
	BG	WO-99/10350-A1	03-04-1999			
	BH	WO-00/01697-A1	01-13-2000			
	BI	WO-00/39127-A1	07-06-2000			
	BJ	WO-01/44248-A1	06-21-2001			
	BK	WO-02/058704-A1	08-01-2002			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	VALE et al., Science, Vol. 213, pp. 1394-1397, (1981).	
	CB	RIVIER et al., Proc. Natl. Acad. Sci, Vol. 80, pp. 4851-4855, (1983).	
	CC	SHIBAHARA et al., EMBO Journal, Vol. 2, No. 5, pp. 775-779, (1983).	
	CD	DIETERICH et al., Exp. Clin. Endocrinol. Diabetes, Vol. 105, pp. 65-82, (1997).	
	CE	VALE et al., Recent Progress in Hormone Research, Vol. 39, pp. 245-270, (1983).	
	CF	DUNN et al., Brain Research Reviews, Vol. 15, pp. 71-100, (1990).	
	CG	OWENS et al., Pharmacol. Reviews, Vol. 43, No. 4, pp. 425-473, (1991).	
	CH	ARBORELIUS et al., J. of Endocrinology, Vol. 160, pp. 1-12, (1999).	
	CI	KALIN et al., Brain Research, Vol. 509, pp. 80-84, (1990).	
	CJ	TAZI et al., Regulatory Peptides, Vol. 18, pp. 37-42, (1987).	
	CK	STENZEL-POORE et al., J. of Neuroscience, Vol. 14, No. 5, pp. 2579-2584, (1994).	
	CL	BALDWIN et al., Psychopharmacology, Vol. 103, pp. 227-232, (1991).	
	CM	SIRINATHSINGHI et al., Nature, Vol. 305, pp. 232-235, (1983).	
	CN	SHERMAN et al., Pharm. Bio. & Behavior, Vol. 26, pp. 699-703, (1987).	
Examiner Signature			Date Considered

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/524,662
				Filing Date	February 11, 2005
				First Named Inventor	Shigeki HIBI
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	1056-0126PUS1

CO	CHALMERS et al.; TIPS, Vol. 17, pp. 166-172, (1996).	
CP	EHLERS et al., Brain Research, Vol. 278, pp. 332-336, (1983).	
CQ	BANKI et al., Am. J. Psychiatry, Vol. 144, No. 7, pp. 873-877, (1987).	
CR	WHITEHOUSE et al., Neurology, Vol. 37, pp. 905-909, (1987).	
CS	DE SOUZA et al., Brain Research, Vol. 437, pp. 355-359, (1987).	
CT	STENZEL-POORE et al., Endocrinology, Vol. 130, No. 6, pp. 3378-3386, (1992).	
CU	KRAHN et al., Brain Research Bulletin, Vol. 17, pp. 285-289, (1986).	
CV	TACHÉ et al., Annals of the New York Academy of Sciences, Vol. 697, pp. 233-243, (1993).	
CW	BARQUIST et al., American Physiological Society, pp. G616-G620, (1992).	
CX	GUNION et al., American Physiological Society, pp. G152-G157, (1990).	
CY	BAKKE et al., Life Sciences, Vol. 45, pp. 907-916, (1989).	
CZ	LENZ et al., Gastroenterology, Vol. 95, pp. 1510-1517, (1988).	
CA1	FORD et al., Gastroenterology, Vol., 109, pp. 1772-1780, (1995).	
CB1	LEMBO et al., Neurogastroenterol. Mot., Vol. 8, pp. 9-18, (1996).	
CC1	FUKUDO et al., Gut, Vol. 42, pp. 845-849, (1998).	
CD1	MORIMOTO et al., J. of Physiology, Vol. 460, pp. 221-229, (1993).	
CE1	THEOHARIDES et al., Endocrinology, Vol. 139, No. 1, pp. 403-413, (1998).	
CF1	SCOPA et al., Am. J. of Pathology, Vol. 145, No. 5, pp. 1159-1167, (1994).	
CG1	POLIAK et al., Journal of Immunology, Vol. 158, pp. 5751-5756, (1997).	
CH1	MURAKAMI et al., Endocrine Journal, Vol. 44, No. 4, pp. 627-629, (1997).	
CI1	SINGH et al., Journal of Neuroimmunology, Vol. 23, pp. 257-262, (1989).	
CJ1	SINGH et al., Neuroscience Letters, Vol. 120, pp. 151-154, (1990).	
CK1	JAIN et al., Endocrinology, Vol. 128, No. 3, pp. 1329-1336, (1991).	
CL1	BÖHMER et al., European Journal of Pharmacology, Vol. 182, pp. 405-411, (1990).	
CM1	NINK et al., Acta Endocrinologica, Vol. 127, pp. 200-204, (1992).	
CN1	RIVIER et al., Science, Vol. 224, pp. 889-891, (1984).	
CO1	MENZAGHI et al., J. of Pharm. & Exp. Therapeutics, Vol. 269, No. 2, pp. 564-572, (1994).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Rec'd PCT/PTO 13 DEC 2005
Docket No.: 1056-0126PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shigeki HIBI et al.

Application No.: 10/524,662

Confirmation No.: Not Yet Assigned

Filed: February 11, 2005

Art Unit: N/A

For: 7-PHENYLPYRAZOLOPYRIDINE
COMPOUNDS

Examiner: Not Yet Assigned

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
10/689,088	October 21, 2003	1625

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

☐ Copies of cited U.S. patent application(s) (specification, claims, and the drawings) or copies of the portion(s) of the application(s) which caused it(them) to be cited, including any claims directed to such portion(s) are attached hereto.

☒ Copies of the cited U.S. patent application(s) (specification, claims, and the drawings) are available on the USPTO's Image File Wrapper. Therefore copies thereof need not be attached.

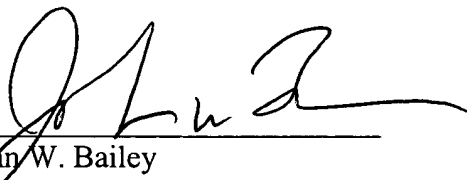
☐ The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: OCT 5 2005

Respectfully submitted,

By 

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